

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
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AUDREY PASS,

Plaintiff,

-v-

EMPIRE STATE REALTY TRUST, INC.,  
ANTHONY MALKIN,

Defendants.  
-----X

1:19-cv-7526-GHW

ORDER


GREGORY H. WOODS, United States District Judge:

On November 25, 2019, the Court issued an order conditionally discontinuing this action. Pursuant to the terms of that order, the plaintiff was provided the option to apply for restoration of the action to the active calendar of the Court by the date that was 30 days following the issuance of the order. In accordance with the terms of that order, if the plaintiff failed to apply for restoration of the case by that date, the case would be automatically dismissed with prejudice.

By letter dated December 23, 2019, the plaintiff has requested that the Court extend the deadline for the plaintiff to apply for restoration of the case to the Court's active calendar, or, alternatively, for the parties to submit a stipulation of settlement and dismissal.<sup>1</sup> That application is GRANTED. Accordingly, the deadline for the plaintiff to apply for restoration of the case to the Court's active calendar, or, alternatively, for the parties to submit a stipulation of settlement and dismissal, is extended to February 14, 2020.

SO ORDERED.

Dated: December 23, 2019  
New York, New York

  
\_\_\_\_\_  
GREGORY H. WOODS  
United States District Judge

<sup>1</sup> As explained in Rule 4(D) of the Court's Individual Rules of Practice in Civil Cases, the Court will not retain jurisdiction to enforce confidential settlement agreements. If the parties wish that the Court retain jurisdiction to enforce the agreement, the parties must place the terms of their settlement agreement on the public record.